

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:23cv0108 (LMB/JFA)
)	
GOOGLE LLC,)	
)	
Defendant.)	
)	

ORDER

This matter is before the court on three motions relating to the timing of depositions for certain witnesses after the close of fact discovery. (Docket nos. 338, 340, 345). The parties have filed a joint response concerning these motions indicating that, through their continued good faith efforts, they have resolved all but one issue. (Docket no. 351). The remaining issue concerns the deposition of a defendant employee in the MDL action that is included in plaintiffs' motion for leave to depose certain Google and third-party witnesses after the close of discovery. (Docket no. 340). Having reviewed the motions, memorandum in support, and the joint response, and accepting the parties' representation the depositions will be completed promptly "and will not impede the rest of the schedule", it is hereby

ORDERED that plaintiffs' motion to extend deadlines for certain discovery implicated by pending motion for partial summary judgment on the pleadings (Docket no. 338) and defendant Google LLC's motion for leave to depose certain third-party witnesses after the close of fact discovery (Docket no. 345) are granted. Plaintiffs' motion for leave to depose certain Google and third-party witnesses after the close of discovery (Docket no. 340) is granted in part and taken under advisement in part. The motions are granted to the extent they allow the depositions

of NBC/Comcast, Meta, Disney, Open X, Index Exchange, Mediavine, GroupM, GSD&M, Brian O’Kelley, News Corp., Jonathan Kanter, and Susan Athey to be taken on the dates and timeframes provided in the joint response (Docket no. 351 at 3–4). The Clerk is requested to terminate the motions at docket nos. 338 and 345. The court will hear brief argument on the remaining issue contained in the motion at docket no. 340 as scheduled on Friday, September 1, 2023 at 11:00 a.m.

Entered this 31st day of August, 2023.

 /s/ JFA
John F. Anderson
United States Magistrate Judge
John F. Anderson
United States Magistrate Judge

Alexandria, Virginia